

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:07-00116

LARRY JAMES WHITSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On March 19, 2014, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Larry James Whitson, appeared in person and by his counsel, Michael D. Payne, for a hearing on the petition on supervised release submitted by United States Probation Officer Joseph Black. The defendant commenced a 48-month term of supervised release in this action on August 30, 2013, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on May 16, 2013.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: the defendant violated the special condition that he spend six months in a community confinement center inasmuch as he entered Dismas Charities on August 31, 2013, and on October 23, 2013, he left the facility to conduct job search activities and never returned, rendering his whereabouts unknown, and resulting in his termination from the program; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

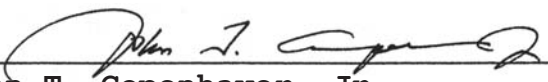
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE MONTHS AND ONE DAY, to be followed by a term of twelve months less one day of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: March 27, 2014

3


John T. Copenhaver, Jr.
United States District Judge